

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

TENNESSEE CONFERENCE OF THE)	
NATIONAL ASSOCIATION FOR THE)	
ADVANCEMENT OF COLORED)	
PEOPLE, et al.,)	
)	
Plaintiffs,)	No. 3:20-cv-01039
)	
v.)	Judge Campbell
)	Magistrate Judge Frensley
)	
WILLIAM LEE, et al.)	
)	
Defendants.)	

DEFENDANTS' MOTION TO DISMISS PLAINTIFF LEOLA SCOTT

Defendants, William Lee, Frank Strada, Mark Goins, and Tre Hargett, file this Motion to Dismiss the claims of Leola Scott pursuant to Fed. R. Civ. P. 12(b)(1).¹ Defendants recently learned that Plaintiff Leola Scott has successfully obtained a court order restoring her full citizenship rights, has successfully obtained the Certificates of Restoration (COR), and has successfully registered to vote as of August 30, 2024. (Mark Goins Declaration). As such, Plaintiff Scott's claims are now moot, and she has not maintained standing. For either of these reasons, Plaintiff Scott's claims are due to be dismissed. Additionally, the NAACP can no longer claim representational standing through Plaintiff Scott, and any claims based on representational standing must also be dismissed.

Sixth Circuit precedent holds that a Motion to Dismiss for lack of subject matter

¹ Frank Strada is the current Commissioner of Tennessee Department of Correction.

jurisdiction may be brought at any time. *Perma v. Health One Credit Union*, 983 F.3d 258, 274 (6th Cir. 2020).

Here, Plaintiff Leola Scott has obtained a court order restoring her full citizenship rights, has obtained the necessary CORs, and she is a registered voter. Plaintiff Scott's claims are moot and she lacks standing, thus her claims are due to be dismissed. The NAACP cannot claim representational standing based on Plaintiff Scott.

Respectfully submitted,

JONATHAN SKRMETTI
Attorney General and Reporter

Sincerely,

/s/ Zachary L. Barker
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CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the above document has been forwarded electronically. Notice of this filing will be sent by the Court's electronic filing system to the parties named below. Parties may access this filing through the Court's electronic filing system.

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